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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,561	09/20/2006	Masao Nonaka	2006_1576A	1654

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WENDEROTH, LIND & PONACK L.L.P.
2033 K. STREET, NW
SUITE 800
WASHINGTON, DC 20006

EXAMINER

BARRON JR, GILBERTO

ART UNIT	PAPER NUMBER
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2132

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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TECHNOLOGY CENTER 2100

WENDEROTH, LIND & PONACK L.L.P.
2033 K. STREET, NW
SUITE 800
WASHINGTON DC 20006

In re Application of: Nonaka et al.
Application No. 10/593,561
Filed: September 20, 2006
For: **UNAUTHORIZED CONTENTS
DETECTION SYSTEM**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY PILOT
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed March 27, 2008 to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S.

patent application publications; and

(7) The required petition fee under 37 CFR 1.17(h).

The request to participate in the PPH pilot program and petition fail to include:

A. Item 2 above. Specifically,

1) Applicant is required to **submit a copy of the allowable/patentable claim(s) from the JPO application(s) to which priority under 35 U.S.C. 119(a) has been validly claimed** (refer items 1 and 2 above) along with an English translation thereof and a statement that the English translation is accurate.

In the instant petition, the claims correspondence table is incomplete because the corresponding Japanese Application Number are not listed in the table. The "Verification of Translation" document states that the translation is of "claims of Japanese Patent Application No. 2006-519466 filed to the JPO on December 20, 2007". The instant U.S. application does not claim any priority to the JP application JP2006-519466. The relationship between the instant U.S. application and the JP2006-519466 has not been established. Further, it is not clear if the translation are of the **allowed claims** of the corresponding Japanese Application.

B. Item 3 and 5 above. Specifically,

Item 3 requires that

(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in **the JPO application(s)) to which priority under 35 U.S.C. 119(a) has been validly claimed**

and Item 5 requires that

(5) Applicant must submit a copy of all the office actions from each of **the JPO application(s)** containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;

The petition fails to satisfy requirements 3 and 5 for the same reasons as stated with respect to item 2 above.

Additionally, applicant is required to provide a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s).

The Petition is **DISMISSED**.


Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be submitted by EFS-Web using the document description "Petition to make special under Pat Pros Hwy".

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

A handwritten signature in black ink, appearing to read "Mano Padmanabhan", written over a horizontal line.

Mano Padmanabhan

Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210